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MAY 30 2023

AT 8:30
CLERK U.S. DISTRICT COURT - DNJ

IN THE UNITED STATES
DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY

United States

v.

Nicholas Martino,

in pro per

Crim. No. 1:17-cr-240-NLH

EX PARTE

PETITION FOR RELEASE OF RECORDS
PURSUANT TO L.R.Cr.P. RULE 32.1(b)

WHEREFORE, on this 20th day of May 2023, Petitioner, Nicholas Martino, in pro per, hereby PETITIONS this Honorable Court to release to him certain probationary records pursuant to L. R. Cr. P. Rule 32.1(b).

Petitioner was under the custody and supervision of this Court from September 25, 2020 until August 31, 2022. He seeks the following records maintained by this District Court (including the Clerk's Office), its Probation Office (in Camden, NJ and Tinton Falls, NJ), USPO Matthew Kurzawa and USPO Steven Alfrey:

1. Any chronological notes or entries, or records, created or maintained regarding information, tips, or sexually explicit photographs involving Petitioner that were transmitted to USPO Kurzawa in October 2020 through August 2021

by FBI CHS Leah Hoffman, phone (914) 262-6788.

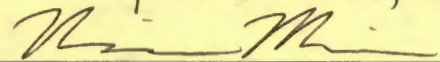
2. Any chronological notes or entries, or records, created or maintained regarding contact between Leah Hoffman and USPO Kurzawa and FBI SA Joseph Donahue and FBI SA Josh Hubiak relating to Petitioner.

3. Copies of a July or August 2021 letter and CD-Rom which were sent to Judge Hillman, USPO Kurzawa, and USPO Alfrey by Petitioner which documented the attempted July 2021 extortion of Petitioner by Leah Hoffman.

Such records are related to another action, Martino v. United States, 1:23-mc-00011-SAK (DNS 2023). In that action, Petitioner is seeking a release of the probable cause affidavit for search warrants issued in another case. Petitioner is discovering egregious government misconduct and violations of federal law by an FBI agent. See id. Petitioner is also discovering violations of law by the above-named individual. See id. Petitioner will be pursuing legal action and the requested information from his now-closed probationary file will lay the groundwork and assist him in prosecuting 1:23-mc-00011-SAK as well as future Bivens or civil claims.

A FOIA or Privacy Act request is not the appropriate avenue to obtain the requested information.

Respectfully Submitted,



Nicholas Martino,

in pro per

MARKING, N # 10570-030

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US DISTRICT COURTHOUSE
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